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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Daniel Baum et al.  
Title: PHOTOGRAPHIC IMAGE UPLOAD KIOSK AND METHOD  
Attorney Docket No.: 1309.003US1

PATENT APPLICATION TRANSMITTAL

BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

We are transmitting herewith the following attached items and information (as indicated with an "X"):

- X Return postcard.
- X Utility Patent Application under 37 CFR § 1.53(b) comprising:
  - X Specification ( 37 pgs, including claims numbered 1 through 64 and a 1 page Abstract).
  - X Formal Drawing(s) ( 4 sheets).
  - X Signed Combined Declaration and Power of Attorney ( 4 pgs).
  - X Check in the amount of \$1,014.00 to pay the filing fee.
- X Assignment of the invention to SHUTTERFLY.COM ( 3 pgs) and Recordation Form Cover Sheet.
- X Check in the amount of \$40.00 to pay the Assignment recording fee.
- X Small Entity Statement ( 1 pg).

The filing fee has been calculated below as follows:

	No. Filed	No. Extra	Rate	Fee
TOTAL CLAIMS	64 - 20 =	44	x 9 =	\$396.00
INDEPENDENT CLAIMS	10 - 3 =	7	x 39 =	\$273.00
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED				\$0.00
BASIC FEE				\$345.00
TOTAL				\$1,014.00

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By: Charles A. Lemaire  
Atty: Charles A. Lemaire  
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

By: Charles A. Lemaire

Signature: Charles A. Lemaire

**SMALL BUSINESS****VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

a) ☐ the owner of the small business concern identified below:b) ☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SHUTTERFLY.COM  
 ADDRESS OF CONCERN: 2800 Bridge Parkway  
Suite 101  
Redwood City CA 94065

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PHOTOGRAPHIC IMAGE UPLOAD KIOSK AND METHOD by inventors Daniel Baum, Avi Bleiweiss and Xin Wen described in the specification filed herewith.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

NAME SHUTTERFLY.COM  
 ADDRESS 2800 BRIDGE PARKWAY Redwood City CA 94065  
 a) ☐ INDIVIDUAL      b) ☐ SMALL BUSINESS CONCERN      c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME JOHN F. BRIDEN  
 TITLE GENERAL COUNSEL / VP BUSINESS DEVELOPMENT  
 ADDRESS 2800 BRIDGE PARKWAY Redwood City CA 94065  
 SIGNATURE [Signature] DATE AUGUST 2, 2000